

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**        )  
  )  
  )  
**Plaintiff,**                          )  
  )  
  )  
  )  
**v.**                                     )                                      **Case No. 09-CR-043-SPF**  
  )  
  )  
**LINDSEY KENT SPRINGER,**        )  
**OSCAR AMOS STILLEY,**             )  
  )  
  )  
**Defendants.**                        )

**UNITED STATES' RESPONSE IN OPPOSITION TO DEFENDANT  
SPRINGER'S EMERGENCY MOTION REGARDING CERTAIN WITNESS**

The United States of America, by and through its attorneys, Thomas Scott Woodward, Acting United States Attorney for the Northern District of Oklahoma, and Kenneth P. Snoke, Assistant United States Attorney, and Charles A. O'Reilly, Special Assistant United States Attorney, hereby responds in opposition to Defendant Lindsey Kent Springer's Emergency Motion Regarding Certain Witness, doc. no. 149. Defendant Springer appears to be attempting to waste the United States' and the Court's time with a frivolous motion for which Defendant Springer offers only speculation. It is also unclear Defendant Springer has standing with respect to Mr. Patridge's conditions of confinement.

Defendant Springer asserts that the United States will intentionally intimidate and harm prospective witnesses in this case, with no evidence whatsoever supporting this scurrilous accusation. By his motion, Defendant Springer asks the Court to prospectively issue five orders with respect to a prisoner under the supervision of the United States Bureau of Prisons. Specifically, Defendant Springer asks the Court to issue orders with respect to Mr. Patridge's medicine and transportation, and that any witness preparation interviews conducted by the Government with Mr. Patridge "be recorded and such transcript be made available to Mr. Springer." Defendant Springer's Emergency Motion, doc. no. 159 at 8-9. While the United States is certain Defendant Springer would like to be privy to the United States' preparation of its case, there is no basis in law for his request, nor does Defendant Springer offer any legal support.

The United States understands that, as indicated in Defendant Springer's motion, Mr. Patridge is currently detained in a federal prison in Indiana. The prosecution is unaware of any facts either supporting or refuting Defendant Springer's assertion that "on Wednesday afternoon, Mr. Patridge, who is Springer's witness, was informed by prison officials that he is being transported and to gather all his things immediately." Defendant Springer's Emergency Motion, doc. no. 159 at 6. The United States notes that Mr. Patridge will be called as a witness by the Government to establish the facts and circumstances surrounding payments he made to Defendant Springer. It is likely that the Bureau of Prisons has put in motion the mechanics to transport Mr. Patridge to Tulsa,

Oklahoma; the Bureau of Prisons should be allowed to do its job as “experienced prison administrators, and not judges, are in the best position to supervise the daily operations of prisons across this country.” *Johnson v. California*, 543 U.S. 499, 530 (2005); *Jones v. North Carolina Prisoners’ Labor Union, Inc.*, 433 U.S. 119, 125 (courts must give “appropriate deference to the decisions of prison administrators”). Once moved to a detention facility closer to Tulsa, Oklahoma, Mr. Patridge will be available for Defendants to interview, should Mr. Patridge agree to speak with them prior to trial.

For the foregoing reasons, the United States requests the Court deny Defendant Springer’s Emergency Motion Regarding Certain Witness, doc. no. 159.

Respectfully submitted,

THOMAS SCOTT WOODWARD  
ACTING UNITED STATES ATTORNEY

/s/ Charles A. O'Reilly  
CHARLES A. O'REILLY, CBA NO. 160980  
Special Assistant U.S. Attorney  
KENNETH P. SNOKE, OBA NO. 8437  
Assistant United States Attorney  
110 West Seventh Street, Suite 300  
Tulsa, Oklahoma 74119  
(918) 382-2700

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25<sup>th</sup> day of September 2009, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Lindsey Kent Springer  
Defendant

Oscar Amos Stilley  
Defendant

Robert Williams  
Standby Counsel assigned to Lindsey Kent Springer

Charles Robert Burton, IV  
Standby Counsel assigned to Oscar Amos Stilley.

*/s/ Charles A. O'Reilly*  
\_\_\_\_\_  
Special Assistant U.S. Attorney